

DATE CANCELLED JUL 3 2003  
 DATE CANCELLED JUL 2 8 2003  
 MAIL DATE CANCELLED 07-30-03

PTO/SB/21 (05-03)

Approved for use through 04/30/2003, OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number 09/580,018

Filing Date May 26, 2000

First Named Inventor Schenk, Dale B.

Art Unit 1647

Examiner Name Christopher J. Nichols

Total Number of Pages in This Submission

12

Attorney Docket Number 15270J-004760US

## ENCLOSURES (Check all that apply)

☒ Fee Transmittal Form (1 pg, submitted in duplicate)

☐ Fee Attached

☐ Extension of Time Request

☐ Express Abandonment Request

☒ Supplemental Information Disclosure Statement (4 pages) w/attached PTO/SB/08A (2 pages) and PTO/SB/08B (2 pages) including Vol. 1 of 2 (cites 340-349)\* and Vol. 2 of 2 (cites 351-376)\*

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/Incomplete Application

☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

☐ Drawing(s)

☐ Licensing-related Papers

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s)

☐ After Allowance Communication to Group

☐ Appeal Communication to Board of Appeals and Interferences

☒ Other Enclosure(s) (please identify below):

1. Return Postcard (1 page)

Remarks

The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

\* Page count for cites 340-348 & 351-376 not included in Total Number of Pages in This Submission.

RECEIVED

JUL 31 2003

TECH CENTER 1600/2900

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual

Townsend and Townsend and Crew LLP

Rosemarie L. Celli

Reg. No. 42,397

Signature

*Rosemarie L. Celli*

Date

July 23, 2003

## CERTIFICATE OF MAILING

Express Mail Label: EV 338 446 382 US

I hereby certify that this correspondence is being deposited with the United States Postal Service with "Express Mail Post Office to Address" service under 37 CFR 1.10 on the dated noted below and is addressed to:

Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Typed or printed name

Aaron Bohler

Signature

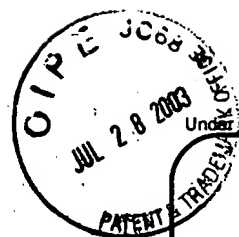
*Aaron Bohler*

Date

July 28, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/17 (05-03)  
Approved for use through 04/30/2003. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 180

Complete if Known

Application Number 09/724,273  
Filing Date November 28, 2000  
First Named Inventor Schenk, Dale B.  
Examiner Name Sharon L. Turner  
Art Unit 1647  
Attorney Docket No. 15270J-004763US

RECEIVED

JUL 31 2003

TECH CENTER 1600/2400

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit  
Account  
Number

20-1430

Deposit  
Account  
Name

Townsend and Townsend and Crew LLP

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) Indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) Indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description        |
|----------|----------|----------|----------|------------------------|
| 1001     | 750      | 2001     | 375      | Utility filing fee     |
| 1002     | 330      | 2002     | 165      | Design filing fee      |
| 1003     | 520      | 2003     | 260      | Plant filing fee       |
| 1004     | 750      | 2004     | 375      | Reissue filing fee     |
| 1005     | 160      | 2005     | 80       | Provisional filing fee |

Fee Paid

SUBTOTAL (1)

(\$)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims             | Extra Claims             | Fees from below          | Fee Paid                 |
|--------------------------|--------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | ** =                     | <input type="checkbox"/> | <input type="checkbox"/> |
| Independent Claims       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Multiple Dependent       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description  |
|----------|----------|----------|----------|--|
| 1202     | 18       | 2202     | 9        | Claims in excess of 20                                     |
| 1201     | 84       | 2201     | 42       | Independent claims in excess of 3                          |
| 1203     | 280      | 2203     | 140      | Multiple dependent claim, if not paid                      |
| 1204     | 84       | 2204     | 42       | ** Reissue independent claims over original patent         |
| 1205     | 18       | 2205     | 9        | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2)

(\$)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description  |
|----------|----------|----------|----------|--|
| 1051     | 130      | 2051     | 65       | Surcharge - late filing fee or oath  |
| 1052     | 50       | 2052     | 25       | Surcharge - late provisional filing fee or cover sheet                     |
| 1053     | 130      | 1053     | 130      | Non-English specification  |
| 1812     | 2,520    | 1812     | 2,520    | For filing a request for reexamination                                     |
| 1804     | 920*     | 1804     | 920*     | Requesting publication of SIR prior to Examiner action                     |
| 1805     | 1,840*   | 1805     | 1,840*   | Requesting publication of SIR after Examiner action                        |
| 1251     | 110      | 2251     | 55       | Extension for reply within first month                                     |
| 1252     | 410      | 2252     | 205      | Extension for reply within second month                                    |
| 1253     | 930      | 2253     | 465      | Extension for reply within third month                                     |
| 1254     | 1,450    | 2254     | 725      | Extension for reply within fourth month                                    |
| 1255     | 1,970    | 2255     | 985      | Extension for reply within fifth month                                     |
| 1401     | 320      | 2401     | 160      | Notice of Appeal   |
| 1402     | 320      | 2402     | 160      | Filing a brief in support of an appeal                                     |
| 1403     | 280      | 2403     | 140      | Request for oral hearing   |
| 1451     | 1,510    | 1451     | 1,510    | Petition to institute a public use proceeding                              |
| 1452     | 110      | 2452     | 55       | Petition to revive - unavoidable   |
| 1453     | 1,300    | 2453     | 650      | Petition to revive - unintentional   |
| 1501     | 1,300    | 2501     | 650      | Utility issue fee (or reissue)   |
| 1502     | 470      | 2502     | 235      | Design issue fee   |
| 1503     | 630      | 2503     | 315      | Plant issue fee  |
| 1460     | 130      | 1460     | 130      | Petitions to the Commissioner  |
| 1807     | 50       | 1807     | 50       | Petitions related to provisional applications                              |
| 1806     | 180      | 1806     | 180      | Submission of Information Disclosure Stmt                                  |
| 8021     | 40       | 8021     | 40       | Recording each patent assignment per property (times number of properties) |
| 1809     | 750      | 2809     | 375      | Filing a submission after final rejection (37 CFR § 1.129(a))              |
| 1810     | 750      | 2810     | 375      | For each additional invention to be examined (37 CFR § 1.129(b))           |
| 1801     | 750      | 2801     | 375      | Request for Continued Examination (RCE)                                    |
| 1802     | 900      | 1802     | 900      | Request for expedited examination of a design application                  |

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$)180

## SUBMITTED BY

Complete (if applicable)

|                   |                    |                                   |               |           |              |
|-------------------|--------------------|-----------------------------------|---------------|-----------|--------------|
| Name (Print/Type) | Rosemarie L. Celli | Registration No. (Attorney Agent) | 42,397        | Telephone | 650-326-2400 |
| Signature         |                    | Date                              | July 28, 2003 |           |              |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. 23320196 v1

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

"Express Mail" Label No. EV 338 446 382 US

Date of Deposit July 28, 2003

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Address" service under 37 CFR 1.10 on the date indicated above and is addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

By: \_\_\_\_\_

Aaron Bohler

RECEIVED

JUL 31 2003

TECH CENTER 1600/2900

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appln. No. : 09/580,018  
Applicant : Dale B. Schenk  
Filed : May 26, 2000  
TC/A.U. : 1600/1647  
Examiner : Christopher J. Nichols

Confirmation No. 9973

Docket No. : 15270J-004760US  
Customer No. : 20350

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The references cited on the attached PTO/SB/08A and PTO/SB/08B forms are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

Applicants also cite commonly owned copending applications directed to related subject matter:

09/201,430 filed 11/30/98;  
09/497,553 filed 02/03/00;  
09/724,477 filed 11/28/00;  
09/723,927 filed 11/28/00;  
09/724,762 filed 11/28/00;

07/31/2003 MAHME1 00000042 201430 09724273

01 FC:1806 180.00 DA

09/724,102 filed 11/28/00;  
09/724,489 filed 11/28/00;  
09/322,289 filed 05/28/99;  
09/723,713 filed 11/27/00;  
09/723,760 filed 11/27/00;  
09/724,319 filed 11/27/00;  
09/723,384 filed 11/27/00;  
09/724,495 filed 11/27/00;  
09/724,940 filed 11/28/00;  
09/724,961 filed 11/28/00;  
09/580,018 filed 05/26/00;  
09/724,552 filed 11/28/00;  
09/723,544 filed 11/28/00;  
09/724,273 filed 11/28/00;  
09/724,551 filed 11/28/00;  
09/724,288 filed 11/28/00;  
09/580,019 filed 05/26/00;  
09/723,765 filed 11/28/00;  
09/724,291 filed 11/28/00;  
09/204,838 filed 12/03/98;  
09/724,921 filed 11/28/00;  
09/724,929 filed 11/28/00;  
09/585,817 filed 06/01/00;  
09/724,567 filed 11/28/00;  
09/724,575 filed 11/28/00;  
09/724,953 filed 11/28/00;  
09/724,570 filed 11/28/00;  
09/585,656 filed 06/01/00;  
09/723,766 filed 11/27/00;  
09/723,725 filed 11/27/00;  
09/579,690 filed 05/26/00;  
09/979,701 filed 03/13/01  
(U.S. National Stage of PCT/US00/14810 filed 05/26/00);  
09/979,952 filed 04/04/02  
(U.S. National Stage of PCT/US00/15239 filed 06/01/00);

Application No. 09/580,018  
Supp. IDS dated July 28, 2003

09/980,568 filed 03/12/02  
(U.S. National Stage of PCT/US00/15302 filed 06/01/00); and,  
10/429,216 filed May 2, 2003.

Applicants also cite the following copending application directed to related subject matter but subject to different assignment:

10/010,942 filed 12/06/01;  
10/232,030 filed 08/30/02;  
60/444,150 filed 02/01/03, and  
10/388,214 filed 03/12/03.

Applicants further cite the following commonly owned abandoned applications directed to related subject matter:

60/067,740 filed 12/02/97;  
60/080,970 filed 04/07/98;  
60/067,219 filed 12/03/97;  
60/079,697 filed 03/27/98;  
60/137,010 filed 06/01/99;  
60/137,047 filed 06/01/99; and,  
60/136,655 filed 05/28/99.

Applicants also cite the following abandoned application directed to related subject matter but subject to different assignment:

60/251,892 filed 12/06/00; and,  
60/363,751 filed 03/12/02.

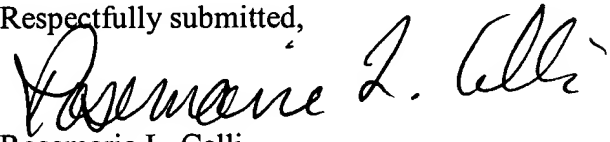
Applicants point out that the following applications are now commonly assigned but were previously subject to different assignment than the present application:

60/067,219 filed 12/03/97;  
60/079,697 filed 03/27/98;  
09/204,838 filed 12/03/98;  
09/724,921 filed 11/28/00; and,  
09/724,929 filed 11/28/00.

As provided for by 37 CFR 1.97(g) and (h), no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information, and no inference should be made that the information and references cited are, or are considered to be material to patentability because they are in this statement. No inference should be made that the information and references cited are prior art merely because they are in this statement.

This IDS is being filed before the mailing date of the final Office Action or Notice of Allowance. Please charge the IDS fee of \$180 to Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Rosemarie L. Celli  
Reg. No. 42,397

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, California 94111-3834  
Tel: 650-326-2400  
Fax: 650-326-2422  
RLC  
23320192 v1



PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 4

Complete if Known

|                        |                        |                       |
|------------------------|------------------------|-----------------------|
| Application Number     | 09/580,018             | RECEIVED              |
| Filing Date            | May 26, 2000           |                       |
| First Named Inventor   | Dale B. Schenk         | JUL 31 2003           |
| Art Unit               | 1647                   |                       |
| Examiner Name          | Christopher J. Nichols | TECH CENTER 1600/2000 |
| Attorney Docket Number | 15270J-004760US        |                       |

## U.S. PATENT DOCUMENTS

| Examiner | Cite No. <sup>1</sup> | Document Number<br>Number Kind Code <sup>2</sup> (if known) | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
|----------|-----------------------|---|--------------------------------|--|---|
|          | 360                   | 2003/0073655 A1   | 04-17-2003                     | Chain  |   |
|          | 370                   | 2003/0068325 A1   | 04-10-2003                     | Wang   |   |
|          | 366                   | 2002/0187157 A1   | 12-12-2002                     | Jensen et al.                                      |   |
|          | 340                   | 2002/0162129 A1   | 10-31-2002                     | Lannfelt   |   |
|          | 365                   | 2002/0133001 A1   | 09-19-2002                     | Geftter et al.                                     |   |
|          | 362                   | 2002/0094335 A1   | 07-18-2002                     | Chalifour et al.                                   |   |
|          | 376                   | 2002/0086847  | 07-04-2002                     | Chain  |   |
|          | 342                   | 2002/0009445 A1   | 01-24-2002                     | Du et al.  |   |
|          | 345                   | 2002/0077288 A1   | 06-21-2001                     | Frangione  |   |
|          | 346                   | 5,935,927   | 08-10-1999                     | Vitek et al.                                       |   |
|          | 353                   | 5,824,322   | 10-20-1998                     | Balasubramanian                                    |   |
|          | 357                   | 5,776,468 B1  | 07-07-1998                     | Hauser et al.                                      |   |
|          | 373                   | 5,721,130   | 02-24-1998                     | Seubert et al.                                     |   |
|          | 356                   | 5,622,701   | 04-22-1997                     | Berg   |   |
|          | 358                   | 5,583,112 B2  | 12-10-1996                     | Kensil et al.                                      |   |

|                       |  |                    |  |
|-----------------------|--|--------------------|--|
| Examiner<br>Signature |  | Date<br>Considered |  |
|-----------------------|--|--------------------|--|

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231

PA 3320092 v1



PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0851-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 2 of 4

**Complete if Known**

|                        |                        |
|------------------------|------------------------|
| Application Number     | 09/580,018             |
| Filing Date            | May 26, 2000           |
| First Named Inventor   | Dale B. Schenk         |
| Art Unit               | 1647                   |
| Examiner Name          | Christopher J. Nichols |
| Attorney Docket Number | 15270J-004760US        |

**RECEIVED**

JUL 31 2003

TECH CENTER 1604/2000

**U.S. PATENT DOCUMENTS**

| Examiner | Cite No. <sup>1</sup> | Document Number<br>Number Kind Code <sup>2</sup> (if known) | Filing Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
|----------|-----------------------|---|---------------------------|--|---|
|----------|-----------------------|---|---------------------------|--|---|

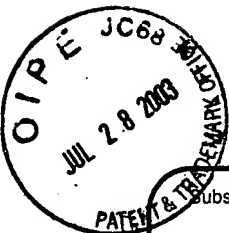
**FOREIGN PATENT DOCUMENTS**

| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Foreign Patent Document   |                     |                                   | Publication<br>Date MM-DD-<br>YYYY | Name of Patentee or<br>Applicant of Cited<br>Document | Pages, Columns, Lines,<br>Where Relevant Passages<br>or Relevant Figures Appear | T <sup>6</sup> |
|-----------------------|--------------------------|---------------------------|---------------------|-----------------------------------|------------------------------------|---|---|----------------|
|                       |                          | Country Code <sup>3</sup> | Number <sup>4</sup> | Kind Code <sup>5</sup> (if known) |                                    |   |   |                |
|                       | 352                      | WO                        | 02/34777            | A1                                | 05-02-2002                         |   |   |                |
|                       | 351                      | WO                        | 02/34878            | A2                                | 05-02-2002                         |   |   |                |
|                       | 343                      | EP                        | 1 172 378           | A1                                | 01-16-2002                         |   |   |                |
|                       | 344                      | WO                        | 01/90182            | A2                                | 11-29-2001                         |   |   |                |
|                       | 348                      | WO                        | 01/77167            | A2                                | 10-18-2001                         |   |   |                |
|                       | 341                      | WO                        | 02/03911            | A2                                | 04-07-2001                         |   |   |                |

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231  
PA 3320092 v1



PTO/SB/08B (10-01)  
Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

|   |   |                          |                        |                        |                 |
|---|---|--------------------------|------------------------|------------------------|-----------------|
| <b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br>(use as many sheets as necessary) |   | <b>Complete if Known</b> |                        |                        |                 |
|   |   | Application Number       | 09/580,018             |                        |                 |
|   |   | Filing Date              | May 26, 2000           |                        |                 |
|   |   | First Named Inventor     | Dale B. Schenk         |                        |                 |
|   |   | Art Unit                 | 1647                   |                        |                 |
|   |   | Examiner Name            | Christopher J. Nichols |                        |                 |
| Sheet   | 3 | of                       | 4                      | Attorney Docket Number | 15270J-004760US |

RECEIVED

JUL 31 2003

TECH CENTER 1600/2800

| OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS |                          |   |                |
|--|--------------------------|---|----------------|
| Examiner<br>Initials *                             | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
|  | 372                      | AKIYAMA et al., "Occurrence of the Diffuse Amyloid $\beta$ -Protein (A $\beta$ ) Deposits With Numerous A $\beta$ -Containing Glial Cells in the Cerebral Cortex of Patients With Alzheimer's Disease," <u>Glia</u> , 25:324-331 (1999).                        |                |
|  | 363                      | DODART, "Immunotherapy for Alzheimer's disease: will vaccination work?" <u>Trends in Molecular Medicine</u> , 9(3):85-87 (2003).  |                |
|  | 364                      | FURLAN et al., "Vaccination with amyloid- $\beta$ peptide induces autoimmune encephalomyelitis in C57/BL6 mice," <u>Brain</u> , 126:285-291 (2003).   |                |
|  | 374                      | JAKES et al., "Characterisation of an Antibody Relevant to the Neuropathology of Alzheimer Disease," <u>Alzheimer Disease and Associated Disorders</u> , 9(1):47-51, Raven Press, Ltd., New York (1995).  |                |
|  | 371                      | JOHNSTONE et al., Nuclear and Cytoplasmic Localization of the $\beta$ -Amyloid Peptide (1-43) in Transfected 293 Cells," <u>Biochemical and Biophysical Research Communications</u> , 220:710-718 (1996).   |                |
|  | 347                      | JORBECK et al., "Artificial <i>Salmonella</i> Vaccines: <i>Salmonella typhimurium</i> O-antigen-Specific Oligosaccharide-Protein Conjugates Elicit Opsonizing Antibodies that Enhance Phagocytosis," <u>Infection and Immunity</u> , May:497-502 (1981).        |                |
|  | 367                      | MONSONEGO et al., "Immune hyporesponsiveness to amyloid $\beta$ -peptide in amyloid precursor protein transgenic mice: Implications for the pathogenesis and treatment of Alzheimer's disease," <u>PNAS</u> , 98(18):10273-10278 (2001).                        |                |
|  | 359                      | MUNCH et al., "Potential neurotoxic inflammatory response to A $\beta$ vaccination in humans," (2002) <u>J. Neural Transm.</u> , 109:1081-1087.   |                |
|  | 355                      | MUNSON ed., "Principals of Pharmacology: Basic Concepts & Clinical Applications," (1995), 47-48, Chapman & Hall, New York, New York.  |                |
|  | 354                      | MUTSCHLER et al., "Drug Actions: Basic Principles and Therapeutic Aspects," (1995) 7, 11-12, <u>medpharm</u> Scientific Publishers, Stuttgart, Germany.   |                |
|  | 368                      | SIPE, "Amyloidosis," <u>Annu. Rev. Biochem.</u> , 61:947-975 (1992).  |                |
|  | 369                      | SPOONER et al., "The generation and characterization of potentially therapeutic A $\beta$ antibodies in mice: differences according to strain and immunization protocol," <u>Vaccine</u> , 21:290-297 (2002).   |                |

|                       |  |                    |  |
|-----------------------|--|--------------------|--|
| Examiner<br>Signature |  | Date<br>Considered |  |
|-----------------------|--|--------------------|--|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.  
PA 3320092 v1





PTO/SB/08B (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 4 of 4

**Complete if Known**

|                        |                        |
|------------------------|------------------------|
| Applicati n Number     | 09/580,018             |
| Filing Dat             | May 26, 2000           |
| First Named Inventor   | Dale B. Schenk         |
| Art Unit               | 1647                   |
| Examiner Name          | Christopher J. Nichols |
| Attorney Docket Number | 15270J-004760US        |

**RECEIVED**

JUL 31 2003

TECH CENTER 600/2000

|     |  |
|-----|--|
| 361 | SU et al., "Intravascular infusions of soluble $\beta$ -amyloid compromise the blood-brain barrier, activate CNS Glial cells and induce peripheral hemorrhage," <u>Brain Research</u> , 818:105-107 (1999).  |
| 375 | TSUZUKI et al., "Amyloid $\beta$ protein in rat soleus in choroquine-induced myopathy using end-specific antibodies for A $\beta$ 40 and A $\beta$ 42: immunohistochemical evidence for amyloid $\beta$ protein," <u>Neuroscience Letters</u> , 2002:77-80 (1995). |

Examiner  
SignatureDate  
Considered

<sup>1</sup> EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PA 3320092 v1